

**State Board of Elections Policy 2008-008**

A meeting of the Virginia State Board of Elections was held on October 28, 2008 whereby a policy was proposed and approved by the Board:

**Alternative Procedures for Counting Absentee Procedures**

WHEREAS, the Code of Virginia, § 24.2-709.1 states:

The electoral board may authorize a general registrar at his option to take one or more of the following measures as needed to expedite counting absentee ballots capable of being read with optical scan counting devices and returned by mail before election day: (i) examine the ballot envelopes to verify completion of the required voter affirmation; (ii) mark the pollbook, or the absentee voter applicant list if the pollbook is not available, that the voter has voted; or (iii) open the sealed ballot envelopes and insert the ballots in the optical scan counting equipment without initiating any ballot count totals. If the board authorizes optical scanning as provided in clause (iii), at least two officers of election, one representing each political party, shall be present during all hours when a general registrar uses the expedited procedures authorized in this section. No person present while sealed ballot envelopes are opened and ballots are inserted into counting equipment pursuant to clause (iii) shall disclose any information concerning the ballots;

WHEREAS, the Constitution of Virginia, Article II, Section 3, states, in part:

In elections other than primary elections, provision shall be made whereby votes may be cast for persons other than the listed candidates or nominees. Secrecy in casting votes shall be maintained, except as provision may be made for assistance to handicapped voters, but the ballot box or voting machine shall be kept in public view and shall not be opened, nor the ballots canvassed nor the votes counted, in secret. Votes may be cast in person or by absentee ballot as provided by law;

Now therefore be it

RESOLVED, by the State Board of Elections under its authority to issue rules and regulations to promote the proper administration of election laws and obtain uniformity in the administration of elections pursuant to § 24.2-103, that

All localities utilizing the alternative procedures for counting absentee ballots under Va. Code § 24.2-709.1 shall:

1. Follow all previously prescribed instructions for processing and verifying absentee ballots;
2. Secure all absentee ballots at the end of each day following principles of dual control and chain of custody.

3. Follow carefully all the requirements of Va. Code § 24.2-709.1, including the requirement that at least two Officers of Election, one representing each party, be present during all hours that the expedited procedures are used; and
4. Give notice to the local political party chairs of the times and places for processing absentee ballots in sufficient time to allow for the authorized party representatives to be present.

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